

THE STATE BAR OF CALIFORNIA

COMPLAINT FORM

Read instructions before filling in this form.

Date 12-28-05

(1) Your name and address David P. O'Donnell, 72 Van Reipen Avenue, Suite 37
Jersey City, NJ 07306

(2) Telephone number: Residence [redacted] Work [redacted]

(3) The name, address and telephone number of the attorney being complained about. (See note below.)
Joshua M. Mester, Sidney P. Levinson, Steve Mitchell, James O. Johnston, Linda A. Kontos, Joshua D. Morse,
Karen L. Kupetz, Michael A. Morris, all of whom are present or former attorneys with the firm Hennigan, Bennett &
Dorman LLP, 601 South Figueroa Street, Suite 3300, Los Angeles, CA 90017, phone # 213-625-390

(4) Have you or a member of your family complained about this attorney previously?
Yes \_\_\_\_, No X\_\_. If yes, please state to whom the previous complaint was made, its approximate date and disposition.

I have not previously complained about H&B to the CA Bar. I have alleged misconduct on the part of H&B in court filings (5/3/03); the court determined the allegations of misconduct on the part of H&B were not relevant to the issue before it.

(5) Did you employ the attorney? Answer yes or no and, if "yes," give the approximate date you employed him or them and the amount, if any, paid to him.
No.

(6) If your answer to 5 above is "no," what is your connection with the attorney? Explain briefly.
I am President of Next Factors, Inc., a creditor in Aureal, Inc.'s Chapter 11 bankruptcy case.
The named attorneys in this complaint served as reorganization counsel for Aureal, Inc.

(7) Write out on a separate piece of paper and send-with this form a statement of what the attorney did or did not do that you are complaining about. Please state the facts as you understand them. Do not include opinions or arguments. If you employed the attorney, state what you employed him to do. Sign and date such separate piece of paper. Further information may be requested. (Attach copies of pertaining documents.)

(8) If your complaint is about a law suit, answer the following, if known:
a. Name of court (For example, Superior Court or Municipal - in what county)
United States Bankruptcy Court, Northern District of California
b. Title of the suit (For example, Smith against Jones).
In re Aureal, Inc. ("Aureal") [a Chapter 11 bankruptcy case]
c. Number of the suit No. 00-42104 T
d. Approximate date the suit was filed April 5, 2000
e. If you are not a party to this suit, what is your connection with it? Explain briefly.
I am President of Next Factors, Inc., a creditor in this bankruptcy case.

(9) Size of law firm complained about (\*) 1 Attorney \_\_ 2 - 10Attorneys \_\_ 11 + Attorneys X Don't know \_\_

NOTE: If you are complaining about more than one attorney, write out the information about each in answer to questions 3 through 8 above on separate sheets if necessary. Answers to questions 3-8 apply to each named attorney.

Mail to:
Office of the Chief Trial Counsel/Intake
State Bar of California
1149 South Hill Street
Los Angeles, California 90015-2299

(\*) Section 6095.1 of the Business and Professions Code mandates that the State Bar compile statistics concerning the size of the attorney's law firm - solo practitioners small law firm (2-10 attorneys) and large law firm (11+ attorneys).

Signature [Handwritten Signature]